

DOCKET NO.: MSFT-0765/190453.01
Application No.: 10/091,276
Office Action Dated: May 25, 2005

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

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REMARKS

In response to the Office Action dated May 25, 2005, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks.

Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-25 are pending. Claims 1-25 have been rejected. Claims 1, 16, 21 and 24 are independent claims from which claims 2-15, 17-20, 22-23 and 25 respectively depend. Claims 1, 16, 21 and 24 have been amended. No new matter has been added. Support for the amendments can be found in the application as originally filed on page 12, lines 17-22 and elsewhere in the application.

While Applicants do not agree with the grounds for rejection, in the interest of furthering prosecution, Applicants have amended independent claims 1, 16, 21 and 24 to more particularly point out the invention. Applicants respectfully submit that the claims define over the prior art.

§103(a) Rejections

Claims 1-14, 16-20, 24 and 25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Austin (U.S. Pat No. 6,701,315 B1) in view of Stefik (U.S. Patent No. 5,715,403).

Applicants respectfully submit that claim 1 and the claims that depend therefrom are patentable because neither Austin nor Stefik, alone or in combination disclose or suggest all the features of Applicants claim 1. Claim 1 recites:

A method for providing archived material comprising:
retrieving a first instance of archived material comprising a plurality of items, the plurality of items comprising at least one requested item comprising text and at least one image and at least one accompanying, non-requested item; and
determining that the at least one accompanying, non-requested item of the plurality of items is substitutable;
selecting a new item according to at least one rule, *the at least one rule comprising selecting the new item based on a geographical location associated with a requestor of the archived material*; and
generating a second instance of archived material by replacing the at least one substitutable item in the first instance with the new item.

(emphasis added).

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Austin is directed to a system and method for delivering information to a user in one or more preferred delivery media, based on a user profile. Austin does not disclose or suggest "selecting a new item according to at least one rule, the at least one rule comprising selecting the new item based on a geographical location associated with a requestor of the archived material" – the type of delivery media is unrelated to geographical location. Stefik is directed to a system for controlling the use and distribution of digital works. A digital work is accompanied by usage rights that determine how the work can be used and/or distributed. Digital rights are unrelated to geographical location. Thus, neither Austin nor Stefik, alone or in combination disclose or suggest at least the italicized features of Applicants' amended claim 1. Hence, Applicants respectfully submit that claim 1 and its dependent claims are patentable and request the withdrawal of the rejections of these claims.

Claims 16, 21 and 24 have been amended to include analogous features. Therefore, Applicants respectfully submit that claims 16, 21 and 24 and their dependent claims are patentable and request the withdrawal of the rejections of these claims.

Claims 15, 21-23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Austin in view of Stefik and further in view of Fields et al. (U.S. Patent No. 6,704,797 B1). Applicants respectfully submit that claim 15 is allowable because neither Austin nor Stefik nor Fields, alone or in combination disclose or suggest all the features of Applicants amended claim 1, from which claim 15 depends, for the reasons presented below with respect to claim 21. Amended claims 1 and 21 include analogous features.

Applicants respectfully submit that claim 21 and the claims that depend therefrom are patentable because neither Austin nor Stefik nor Fields, alone or in combination disclose or suggest all the features of Applicants amended claim 21. Amended claim 21 recites:

A computer-readable medium having stored thereon a data structure associated with an item, the item comprising a portion of a document that appears on a page, the data structure comprising:

a first data field comprising category data of the item, the item comprising a non-requested item accompanying a requested item, wherein the category data describes a type of item, the type of item comprising one of: text, an image, and an advertisement;

a second data field comprising geometric data of the item, wherein the geometric data describes one of a physical location of the item within a page and the size of an item; and

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a third data field comprising relevancy data, wherein the relevancy data comprises *a geographical location associated with a requestor of the item.*

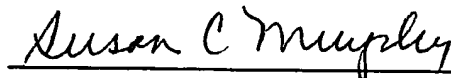
As discussed above, Austin is directed to a system and method for delivering information to a user in one or more preferred delivery media unrelated to geographical location. Stefik is directed to a system for controlling the use and distribution of digital works. A digital work is accompanied by usage rights that determine how the work can be used and/or distributed. Neither Austin nor Stefik, alone or in combination disclose or suggest at least the italicized features of Applicants' amended claim 12.

Fields does not cure the deficiencies of Austin and Stefik. Fields is directed to a system and method for protecting images, resulting in the selective distribution of one of multiple versions of an original image according to a set of rules unrelated to geographical location. Fields does not disclose or suggest at least the italicized features of Applicants' amended claim 21. Hence, Applicants respectfully submit that claim 21 and its dependent claims are patentable and request the withdrawal of the rejections of these claims.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that the present Application is in condition for allowance. Withdrawal of the rejections of the claims and an early allowance is earnestly solicited.

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